

ESTTA Tracking number: **ESTTA689523**

Filing date: **08/13/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	92059349
Applicant	Defendant Fruition Interactive, Incorporated
Other Party	Plaintiff Doctors Online Services, LLC dba Fruition
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

## Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 08/13/2015. Fruition Interactive, Incorporated requests that such date be extended for 30 days, or until 09/12/2015, and that all subsequent dates be reset accordingly.

Time to Answer :	09/12/2015
Deadline for Discovery Conference :	10/12/2015
Discovery Opens :	10/12/2015
Initial Disclosures Due :	11/11/2015
Expert Disclosure Due :	03/10/2016
Discovery Closes :	04/09/2016
Plaintiff's Pretrial Disclosures :	05/24/2016
Plaintiff's 30-day Trial Period Ends :	07/08/2016
Defendant's Pretrial Disclosures :	07/23/2016
Defendant's 30-day Trial Period Ends :	09/06/2016
Plaintiff's Rebuttal Disclosures :	09/21/2016
Plaintiff's 15-day Rebuttal Period Ends :	10/21/2016

The grounds for this request are as follows:

- *The Parties have reached an agreement in principal and reduced it to writing. Registrant has executed the final settlement agreement; however, Registrant awaits execution by Petitioner. The Parties expect that Petitioner will sign the settlement agreement soon and that a dismissal of this proceeding will be filed well in advance of the new deadline.*

Fruition Interactive, Incorporated has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Fruition Interactive, Incorporated has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/William A. McKenna/

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08/13/2015